

EXHIBIT A

W. Scott Murphy, Esq.
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437 – 60th Street
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(201) 868-1400
Attorney for Plaintiff(s)
File No. 204660

Plaintiffs,
SERGIO DAVID, as General Administrator,
And as Administrator ad Prosequendum of the
ESTATE OF WILLIAM DAVID

vs.

Defendants,
DANIEL RODRIGUEZ,
ADRIANA M. GAVIRIA,
DERRICK L. DOZIER,
RYDER TRUCK RENTAL,
BLACK HORSE CARRIERS INC.,
LEASING SOLUTION INC.,
JOHN DOE AND JANE DOE
(fictitious owner of an automobile, driver
of an automobile, manufacturer of an
automobile, maintained or repaired said
automobile, and/or was a fictitious employer
of defendant), and XYZ CORP (fictitious
corporation, fictitious UM/UIM and/or PIP
carrier, and/or employer of defendant)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - HUDSON COUNTY

Docket No. **HUD-L-3344-20**

CIVIL ACTION

SUMMONS

FROM THE STATE OF NEW JERSEY, To The Defendant(s) Named Above:

BLACK HORSE CARRIERS INC.

The Plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The Complaint attached to this Summons states the basis for this lawsuit. If you dispute this Complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it (the address of each deputy clerk of the Superior Court is provided).

If the Complaint is one in foreclosure, then you must file your written Answer or Motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, CN-971, Trenton, NJ 08625. A \$135.00 filing fee payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your Answer or Motion when it is filed. You must also send a copy of your Answer or Motion to Plaintiff's attorney whose name and address appear above, or to Plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written Answer or Motion (with fee and completed Case Information Statement) if you want the Court to hear your defense.

If you do not file and serve a written Answer or Motion within 35 days, the court may enter a judgment against you for the relief Plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an Attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Dated: January 5, 2021

/s/ *Michelle M. Smith*

Michelle M. Smith
Clerk of the Superior Court

Name of Defendant to be served: **BLACK HORSE CARRIERS INC.**
Address: 455 Kehoe Boulevard
Carol Stream, Illinois 60188

W. Scott Murphy, Esq.
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File No. 204660

<p>Plaintiffs, SERGIO DAVID, as General Administrator, and as Administrator ad Prosequendum of the ESTATE OF WILLIAM DAVID</p> <p>vs.</p> <p>Defendants, DANIEL RODRIGUEZ, ADRIANA M. GAVIRIA, DERRICK L. DOZIER, RYDER TRUCK RENTAL, BLACK HORSE CARRIERS INC., LEASING SOLUTION INC., JOHN DOE AND JANE DOE (fictitious owner of an automobile, driver of an automobile, manufacturer of an automobile, maintained or repaired said automobile, and/or was a fictitious employer of defendant), and XYZ CORP (fictitious corporation, fictitious UM/UIM and/or PIP carrier, and/or employer of defendant)</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION – HUDSON COUNTY</p> <p>Docket No. HUD-L-</p> <p>CIVIL ACTION</p> <p>COMPLAINT AND JURY DEMAND</p>
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The plaintiff, SERGIO DAVID, as General Administrator, and as Administrator ad
Prosequendum of the ESTATE OF WILLIAM DAVID, deceased, residing at 7201 Adams Street,
in the Township of North Bergen, County of Hudson, State of New Jersey, respectively; by way
of Complaint against the defendants, say:

FIRST COUNT

1. Decedent, WILLIAM DAVID, formerly resided at 7201 Adams Street, in the Township of North Bergen, County of Hudson, State of New Jersey.
2. Plaintiff, SERGIO DAVID, is the surviving sibling of the deceased, WILLIAM DAVID, who died on September 20, 2018.
3. WILLIAM DAVID left surviving him his one child, WILLIAM DAVID, JR..
4. This action has been commenced within two years after the death of WILLIAM DAVID.
5. The within action is brought pursuant to N.J.S.A. 2A:15-3, et. seq., Survival Actions, N.J.S.A. 2A:31-1, et seq., Wrongful Death Actions, and New Jersey negligence, auto, tort and common law.
6. On or about September 20, 2018, the decedent, WILLIAM DAVID, was a passenger in a vehicle being operated by the defendant, DANIEL RODRIGUEZ, and owned by the defendant, ADRIANA M. GAVIRIA, and traveling North on West Side Avenue, at or near 43rd Street, in the Township of North Bergen, County of Hudson, State of New Jersey.
7. At the same time, the defendant, DERRICK L. DOZIER, was operating a truck owned by the defendant, RYDER TRUCK RENTAL, and traveling in a driveway located on 43rd Street, adjacent to West Side Avenue, North Bergen, New Jersey. At the same time, said defendant was employed and/or an agent of the defendant, BLACK HORSE CARRIERS INC., who was employed and/or an agent of the defendant, LEASING SOLUTION INC.
8. At the time and place aforesaid, the defendants, DANIEL RODRIGUEZ and DERRICK L. DOZIER, were negligent in the operation of their vehicles, were otherwise inattentive and careless, and their actions or omissions caused their vehicles to collide, on West Side Avenue, at or near 43rd Street, in the Township of North Bergen, County of Hudson, State of New Jersey.

9. At all times aforesaid, the defendants, DANIEL RODRIGUEZ, ADRIANA M. GAVIRIA, DERRICK L. DOZIER, RYDER TRUCK RENTAL, BLACK HORSE CARRIERS INC., and LEASING SOLUTION INC., were careless, reckless, negligent and/or grossly negligent in the ownership, operation, maintenance, management, control, supervision, servicing, repair, and/or inspection of their motor vehicle, and/or did negligently engage the services of an incompetent independent contractor, and/or did negligently hire, train, or supervise certain employees, and as a direct and proximate result of the foregoing acts or omissions, any or all proximately caused their motor vehicle to collide into the vehicle in which plaintiff, WILLIAM DAVID, was a passenger, thereby proximately causing severe, traumatic and permanent injuries resulting in death.

SECOND COUNT

1. Plaintiff repeats the allegations contained in the First Count and incorporates the same by reference as if repeated at length herein.
2. As a result of the collision, WILLIAM DAVID suffered bodily injuries which ultimately led to his death on September 20, 2018, to the pecuniary damage of his heirs.
3. WILLIAM DAVID, left surviving him his one child, whom suffered a pecuniary loss as a result of his death and was deprived of the services, assistance and consortium of the deceased.

WHEREFORE, Plaintiff, SERGIO DAVID, as Administrator ad Prosequendum for the heirs-at-law of WILLIAM DAVID, demand judgment against the defendants for damages, compensatory and punitive, and unpaid medical, funeral, and burial expenses, together with interest and costs of suit as set forth herein.

THIRD COUNT

1. Plaintiffs repeat the allegations contained in the First and Second Counts and incorporate same by reference as if repeated at length herein.
2. JOHN DOE and JANE DOE are fictitious names and the parties intended being one or more persons whose identities are presently unknown but will be ascertained during the course of pre-trial discovery.
3. JOHN DOE and JANE DOE were the fictitious owner or driver of an automobile, fictitious manufacturer or service provider of an automobile, and or a fictitious employer of the Defendants.
4. The conduct, actions or omissions of the defendants, JOHN DOE and JANE DOE, to be determined during the course of pre-trial discovery, were substantial factors in causing the injuries sustained by the Plaintiff and as more fully described hereinabove.

WHEREFORE, the Plaintiffs demand judgment against the Defendants for damages, compensatory and punitive, and unpaid medical, funeral, and burial expenses, together with interest and costs of suit as set forth herein.

FOURTH COUNT

1. Plaintiffs repeat the allegations contained in the First through Third Counts and incorporate the same by reference as if repeated at length herein.
2. XYZ CORP is a fictitious name and the party intended being one or more fictitious corporations, fictitious UM/UIM carrier and/or PIP carrier, fictitious public entity, City or Municipality, and/or fictitious employer whose identities are presently unknown but will be determined during the course of pre-trial discovery.

3. The conduct, actions or omissions of the defendant, XYZ CORP, to be determined during the course of pre-trial discovery were substantial factors in causing the injuries sustained by the Plaintiff as more fully described hereinabove.

WHEREFORE, the Plaintiffs demand judgment against the Defendants for damages, compensatory and punitive, and unpaid medical, funeral, and burial expenses, together with interest and costs of suit as set forth herein.

JURY DEMAND

Plaintiffs demand a trial by jury on all triable issues.

DEMAND FOR INTERROGATORIES

Demand is hereby made for the Defendants' answers to Form C and C (1) Interrogatories.

CERTIFICATION

Pursuant to R.4:5-1, the Plaintiffs hereby certify that the within matter of controversy is not the subject of any other action pending in any other jurisdiction, nor is it the subject of any arbitration matter pending in any other jurisdiction.

DESIGNATION OF TRIAL COUNSEL

Pursuant to R. 4:25-5, W. Scott Murphy, Esq. is hereby designated as trial counsel.

MURPHY PELUSO, LLC

W. Scott Murphy

W. SCOTT MURPHY, ESQ.
Attorney for Plaintiffs, SERGIO DAVID,
as General Administrator, and as
Administrator ad Prosequendum of the
ESTATE OF WILLIAM DAVID

Dated: September 11, 2020

Civil Case Information Statement

Case Details: HUDSON | Civil Part Docket# L-003344-20

Case Caption: DAVID SERGIO VS RODRIGUEZ DANIEL

Case Initiation Date: 09/16/2020

Attorney Name: WILLIAM S MURPHY

Firm Name: MURPHY PELUSO LLC

Address: 437 - 60TH ST

WEST NEW YORK NJ 07093

Phone: 2018681400

Name of Party: PLAINTIFF : DAVID, SERGIO

Name of Defendant's Primary Insurance Company

(if known): Unknown

Case Type: AUTO NEGLIGENCE-PERSONAL INJURY (NON-VERBAL THRESHOLD)

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

Are sexual abuse claims alleged by: SERGIO DAVID? NO

Are sexual abuse claims alleged by: WILLIAM DAVID? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b)

09/16/2020
Dated

/s/ WILLIAM S MURPHY
Signed

